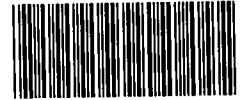




ORIGINAL



SDMS DocID 2228532

ICI Americas Inc.

Law Department

General Section

Wilmington

Delaware 19897

Telephone (302) 886-3000

Fax (302) 886-2952

February 22, 1991

Federal Express

Karen M. Wolper, Chief
Enforcement and Title III Section
(3HW33)
U.S. Environmental Protection Agency
841 Chestnut Building
Philadelphia, PA 19107

RE: The Metro Container Site
Trainer, Pennsylvania

Dear Ms. Wolper:

This letter is provided to you in response to the information request pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) directed to the Converters Ink Co. facility in Linden, New Jersey (the "Converters Ink Facility").

In order for you to understand the enclosed response, you must consider that the Converters Ink Facility, to which your information request was directed, experienced a transfer of ownership in 1985, the earliest date which is the subject of the Agency's inquiry. Consequently, there may be gaps in the continuity of historical records. Moreover, personnel who were employed at the Converters Ink Facility during the relevant time period may no longer be available to us for our investigation. Nevertheless, we have attempted as best we can in the limited time you have provided to us, to conduct our investigation and to respond herein.

The Agency's information request references the time period 1985 through 1987 and requests information on any use of the Metro Container Site in Trainer, Pennsylvania (the "Metro Container Site") by the Converters Ink Facility. Therefore, we have focussed our investigation on any use of Metro Container Site by the Converters Ink Facility during that relevant time period.

Based upon a review of available records and discussions with knowledgeable personnel, we have not identified any information indicating that the Converters Ink Facility transported hazardous materials to the Metro Container Site or stored, treated, generated or disposed of hazardous materials at the Metro Container Site. Our investigation has, however, identified information indicating that at some time during 1987 the Converters Ink Facility did sell used, empty 55 gallon steel drums to Metro-Enterprise Container Corporation for reconditioning and, presumably, resale of those drums by Metro-Enterprise Container Corporation. Available information indicates that the Converters

HEIRPU

(Name of
Carrier)

Subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading.

CONVERTERS INK CO.

AT LINDEN, N.J.

3-23-88

ORR CB

Property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated below. The said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry the property to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Freight Bill of Lading as set forth in the Uniform Freight Classification in effect on the date hereof, if this is a rail or a rail-water shipment, or (2) in the applicable motor carrier classification or tariff if this is a motor carrier shipment. Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

DELIVERY ADDRESS ★ (★ To be filled in only when shipper desires and governing tariffs provide for delivery thereat.)

UNDESIGNED
TO: METRO CONTAINER
STATION

UTE

LIVERING
RRIER

CUSTOMER'S ORDER NO.

PREPAID

NO. OF CAGES	HAZARDOUS MATERIALS	KIND OF PACKAGE, DESCRIPTION OF ARTICLES SPECIAL MARKS AND EXCEPTIONS	*WEIGHT (SUB. TO CORR.)	CLASS OR RATE	CK. COL.	
		5 GAL. INK, FLAMMABLE LIQUID UN 1210				CAR OR VEHICLE INITIAL
		55 GAL. DRM. INK, FLAMMABLE LIQUID UN 1210				
91	x	3 Ringed empty drums previously contained flammable liquid UN1210			x	CAR OR VEHICLE NO.
		TOTE BIN INK, FLAMMABLE LIQUID UN 1210				Subject to Section 7 of Conditions of applicable bill of lading, if this shipment is to be delivered to the consignee without re- course on the consignor, the consignor shall sign the following statement: The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.
40	x	2 Ringed empty drums previously contained flammable liquid UN1210	1.50	60.	x	CONVERTERS INK CO.
30	x	Closed head drums previously contained flammable liquid UN1210	2.50	75.	x	Per (Signature of Consignor)
		5 GAL. PAIL INK, COMBUSTIBLE LIQUID UN 2867		135.		Received \$ to apply in prepayment of the charges on the property described hereon.
		55 GAL. DRM. INK, COMBUSTIBLE LIQUID UN 2867				Agent or Cashier
		TOTE BIN INK, COMBUSTIBLE LIQUID UN 2867				Per (The signature here acknowledges only the amount prepaid.)
4	x	Leaker Drums previously contained Flammable liquid UN1210			x	Charges Advanced: \$
						THIS SHIPMENT IS CORRECTLY DESCRIBED. CORRECT WEIGHT IS
						lbs.
						C. O. D. SHIPMENT
						C. O. D. Amt.
						Collection Fee
						Total Charges

SHIPPER'S CERTIFICATION: This is to certify that the above named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulation of the Department of Transportation, and in accordance with CFR 49 172.204

SIGNATURE

TITLE

The fibre boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Rule 41 of the Consolidated Freight Classification.

If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is "carrier's or shipper's weight."

NOTE - Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property.

The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding

per

DELIVERY RECEIPT

CUSTOMER'S SIGNATURE

RECEIVED THE ABOVE MENCH. FROM

CONVERTERS INK

CONVERTERS INK CO., SHIPPER PER

PERMANENT POST OFFICE ADDRESS OF SHIPPER, 1301 SO. PARK AVENUE, P.O. BOX 263, LINDEN, N.J. 07036



Metro-Enterprise Container Corp.

SECOND & PRICE STREETS
TRAINER, PENNSYLVANIA
19013

TELEPHONE
215-485-6100

Mailing Address:
POST OFFICE BOX A
CHESTER, PENNSYLVANIA
19016

June 30, 1988

Mr. Phil Pierro
CONVERTER'S INK
1301 South Park Avenue
Linden, New Jersey 07036

Dear Mr. Pierro:

Just want to follow up yesterday's conversation.

- > The advices we received added to our own knowledge of the law, advices received from the EPA and our attorneys, all indicate that there is no hazard, no liability, no environmental danger in your buying our product. Should your attorneys care to they may call Mr. Falkin at the EPA or Mr. Patton, our attorney at (302) 571-6684.
- > In view of your decision, it is rather pointless for us to leave empty trailers on your premises. We will arrange through our trucker, AMF, to have them removed as soon as possible.
- > There is absolutely no intent to get you involved in any competitor's hassles, trade gossips, etc., etc. and there never will be. Our products and services are sold without having to refer to our competitors in order to do so. Our products and services are sold on their own merit without having to refer to competitors, trade gossips, etc.

Should you change your position, please feel free to be in touch and re-establish our customer - supplier relationship.

Very truly yours,

Lewis Maslow

LM:mak



Metro-Enterprise Container Corp.

SECOND & PRICE STREETS
TRAINER, PENNSYLVANIA
19013

TELEPHONE
215-485-6100

ORIGINAL
Mailing Address:
POST OFFICE BOX A
CHESTER, PENNSYLVANIA
19016

June 16, 1988

Mr. Phil Pierro
CONVERTER'S INK
1301 South Park Avenue
Linden, New Jersey 07036

Dear Mr. Pierro:

It's been about a month now since you ordered any deliveries from us. The last I spoke with you I was given the impression that you were considering the matter of continuing dealing with our company and would come to a conclusion very shortly. In any case, once again I offer you the following thoughts for your consideration.

- * Our company is producing regularly, will continue in business and has no special problem with any government agency. There is absolutely no exposure involved in your buying our product or service.
- * When we started with you, even though it was not on a contract basis, to be certain we had the absolute best consistently uniform supply of raw drums, we did contract to buy 17H bottom bung riekies all of the highest quality designed to be reconditioned for sale to you. We still have this supply and have not sought to sell them elsewhere in the hopes that you would resume your buying pattern of two - three loads a week from us. No matter how carefully a drum is reconditioned, it still needs a basically good raw drum to recondition and it must be of the highest quality. The result is that the drums you have bought from us are superior in quality, in appearance and in your handling costs to those supplied by any of our competitors and I assume our price is right and acceptable.

Generally speaking, we are top grade suppliers, we have given very special attention to your needs and it is very disappointing and discouraging to get shut out for no really good reason. I would like to make a date to visit with you if that would help but the important thing is that we get back in your good graces as a favorable supplier and as soon as possible.

Hope you have enjoyed your vacation. I look forward to hearing from you.
Best regards.

Very truly yours,

Lewis Maslow

LM:mak



Metro-Enterprise Container Corp.

SECOND & PRICE STREETS
TRAINER, PENNSYLVANIA
19013

TELEPHONE
215-485-6100

Mailing Address:
POST OFFICE BOX A
CHESTER, PENNSYLVANIA
19016

CBI
ORIGINAL

May 20, 1988

Mr. Phil Pierro
Converter's Ink
1301 South Park Avenue
Linden, New Jersey 07036

Dear Mr. Pierro:

Further to our conversations concerning possible exposures of your company dealing with ours, I suggest you note the following.

- * You are primarily a customer buying a product and service from our company that has absolutely nothing whatsoever to do with any regulation you might become involved with.
- * Metro-Enterprise occupies a small portion, as you have seen, of the eleven acres owned by Metro Container. Metro was a reconditioner of bung type drums which had discontinued its regular operations December 1987. In reconditioning bung type drums it generated ^{NON}hazardous non-toxic sludge that would ordinarily be processed into the sewer system and/or taken to a landfill. The operation had been going on for more than 25 years under permit with the local sewer authority and Pennsylvania's DER.
- * At no time has our company, Enterprise, been in violation or been involved in any way in the accumulation of sludge or any other activity contrary to its permits. It is in full operation, is expected to continue indefinitely, is hopefully expected to be confirmed out of its present reorganization before the year is over.
- * The EPA entered the picture in a routine fashion having primacy over DER and DELCORA primarily because our bung type operation has accumulated on the property more non-hazardous sludge than is permitted. This sludge is packed in steel drums and as soon as funds can become available through court procedure will be removed.
- * It appears that our company's commitment to producing a superior high quality product offered at a very competitive price and providing excellent customer service seems to be disturbing to our competition if they resort to "scare tactics" with our customers.

Mr. Phil Pierro
Converter's Ink
Page 2

May 20, 1988

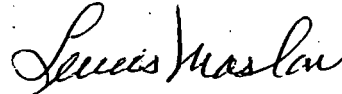
CBI
ORIGINAL

Your company is not on any list of any kind of ours, is not subject to any involvement with the EPA in Superfund or any other type of activity, all of which is confined to suppliers of empty drums to Metro. The few empty drums that you sell whether you sell them to our company or others must be handled properly and in accordance with regulations. In some ways it is safer with us because we are under such close scrutiny and observation and in fact operating under court order. If you needed complete comfort you could simply stop selling us empty drums and there is no possible danger or liability buying reconditioned drums from us as compared with any other supplier of new or used containers.

The drums we have bought from you have all been properly handled as are all of our empty drums and in any case have been such an insignificant part of our supply, not even worth mentioning.

It is more than usually important that we retain the goodwill of our customers and not allow competitive sales tactics to prevent us from dealing together with what I hope you will agree is to the mutual benefit of our companies.

Very truly yours,

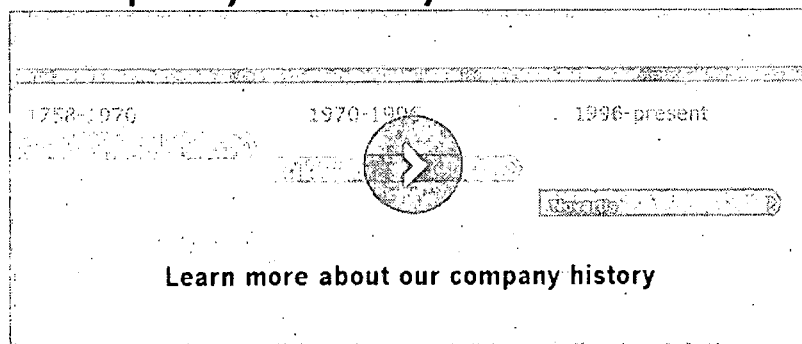


Lewis Maslow

LM:mak



Company history



Novartis was created in 1996 through the merger of Ciba-Geigy and Sandoz, two companies with a rich and diverse corporate history. Throughout the years, Novartis and its predecessor companies have discovered and developed many innovative products for patients and consumers worldwide.

To learn more about our history and key achievements, click on the timeline above.

Novartis

From Wikipedia, the free encyclopedia

Novartis International AG is a multinational pharmaceutical company based in Basel, Switzerland, ranking number three in sales among the world-wide industry. Company sales totalled 36.173 billion US\$ in 2008.^[2]

Currently, Novartis is the sixth largest pharmaceutical company in terms of revenue (\$41.5 billion in 2009) with a profit margin of about 20%, which is the same as its industry competitors. Novartis profits were down by 31% from 2007 levels.^[3]

Novartis manufactures such drugs as clozapine (Clozaril), diclofenac (Voltaren), carbamazepine (Tegretol), valsartan (Diovan), imatinib mesylate and (Gleevec / Glivec). Additional agents include ciclosporin (Neoral / Sandimmun), letrozole (Femara), methylphenidate (Ritalin), terbinafine (Lamisil), and others. Renamed to Novartis following an acquisition by Ciba-Geigy, it owns Sandoz, a large manufacturer of generic drugs. The company formerly owned the Gerber Products Company, a major infant and baby products producer, but sold it to Nestlé on 1 September 2007.^{[4][5][6][7]}

Novartis is a full member of the European Federation of Pharmaceutical Industries and Associations (EFPIA)^[8] and of the International Federation of Pharmaceutical Manufacturers and Associations (IFPMA)^[9]

Novartis International AG



Type	Public AG SIX: NOVN, NYSE: NVS
Industry	Pharmaceuticals
Founded	1996 (from merger)
Headquarters	Basel, Switzerland
Key people	Daniel Vasella (Chairman), Joseph Jimenez (CEO)
Products	Pharmaceuticals, generic drugs, over-the-counter drugs, vaccines, diagnostics, contact lenses, animal health (list...)
Revenue	▲ US \$50.624 billion (2010) ^[1]
Operating income	▲ US \$11.526 billion (2010) ^[1]
Net income	▲ US \$9.969 billion (2010) ^[1]
Total assets	▲ US \$123.32 billion (end 2010) ^[1]
Total equity	▲ US \$69.769 billion (end 2010) ^[1]
Employees	▲ 119,418 (FTE, end 2010) ^[1]
Subsidiaries	Ciba Vision, Sandoz, Alcon
Website	novartis.com

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- 1 Collaborative research
- 2 History
 - 2.1 Ciba-Geigy
 - 2.2 Sandoz
 - 2.3 After the merger
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Collaborative research

In addition to internal research and development activities Novartis is also involved in publicly funded collaborative research projects, with other industrial and academic partners. One example in the area of non-clinical safety assessment is the InnoMed PredTox.^{[10][11]} The company is expanding its activities in joint research projects within the framework of the Innovative Medicines Initiative of EFPIA and the European Commission.^[12] The company's research operations have their global headquarters in Cambridge, Massachusetts.^[13]

History

Novartis was created in 1996 from the merger of **Ciba-Geigy** and **Sandoz Laboratories**, both Swiss companies with long histories. Ciba-Geigy was formed in 1970 by the merger of **J. R. Geigy Ltd** (founded in Basel in 1758) and **CIBA** (founded in Basel in 1859). Combining the histories of the merger partners, the company's effective history spans 250 years.^[14]

Ciba-Geigy

Johann Rudolf Geigy-Gemuseus (1733–1793) began trading in 1758 in "materials, chemicals, dyes and drugs of all kinds"^[15] in Basel, Switzerland. Johann Rudolf Geigy-Merian (1830–1917) and Johann Muller-Pack acquired a site in Basel in 1857, where they built a dyewood mill and a dye extraction plant. Two years later, they began the production of synthetic fuchsine. In 1901, they formed the public limited company **Geigy** and the name of the company was changed to **J. R. Geigy Ltd** in 1914.



Novartis headquarters in Basel

In 1859, Alexander Clavel (1805 – 1873) took up the production of fuchsine in his factory for silk-dyeing works in Basel. In 1864, a new site for the production of synthetic dyes was constructed, and in 1873, Clavel sold his dye factory to the new company **Bindschedler and Busch**. In 1884, Bindschedler and Busch was transformed into a joint-stock company with the name "Gesellschaft für Chemische Industrie Basel" (Company for Chemical Industry Basel). The acronym, **CIBA**, was adopted as the company's name in 1945.

In 1925, J. R. Geigy Ltd. began producing textile auxiliaries, an activity which Ciba took up in 1928.

In 1939, Geigy chemist Paul Hermann Müller discovered that DDT was effective against malaria-bearing insects. He received the 1948 Nobel Prize in Medicine for this work.

CIBA and Geigy merged in 1971 to form **Ciba-Geigy Ltd.** This company merged with Sandoz in 1996, with the pharmaceutical divisions of both staying together to form Novartis. Other Ciba-Geigy businesses being spun off as independent companies.

Sandoz

The *Chemiefirma Kern und Sandoz* ("Kern and Sandoz Chemistry Firm") was founded in 1886 by Alfred Kern (1850–1893) and Edouard Sandoz (1853–1928). The first dyes manufactured by them were alizarine blue and auramine. After Kern's death, the partnership became the corporation *Chemische Fabrik vormals Sandoz* in 1895. The company began producing the fever-reducing drug antipyrin in the same year. In 1899, the company began producing the sugar substitute, saccharin. Further pharmaceutical research began in 1917 under Arthur Stoll (1887–1971), who is the founder of Sandoz's pharmaceutical department in 1917. In 1918, Arthur Stoll isolates ergotamine from ergot; the substance is eventually used to treat migraine and headaches and is introduced under the trade name Gynergen in 1921.

Between the World Wars, Gynergen (1921) and Calcium-Sandoz (1929) were brought to market. Sandoz also produced chemicals for textiles, paper, and leather, beginning in 1929. In 1939, the company began producing agricultural chemicals.

The psychedelic effects of lysergic acid diethylamide (LSD) were discovered at the Sandoz laboratories in 1943 by Arthur Stoll and Albert Hofmann (patent by Stoll and Hofmann in USA on Mar. 23, 1948). Sandoz began clinical trials and marketed the substance, from 1947 through the mid 1960s, under the name *Delysid* as a psychiatric drug, thought useful for treating a wide variety of mental ailments, ranging from alcoholism to sexual deviancy. Sandoz suggested in its marketing literature that psychiatrists take LSD themselves,^[16] to gain a better subjective understanding of the schizophrenic experience, and many did exactly that and so did other scientific researchers. For several years, the psychedelic drugs also were called "psychotomimetic" because they were thought to mimic psychosis. Later research caused this term to be abandoned, as neuroscientists gained a better understanding of psychoses, including schizophrenia. Research on LSD peaked in the 1950s and early 1960s. Sandoz withdrew the drug from the market in the mid-1960s. The drug became a cultural novelty of the 1960s after psychologist Timothy Leary at Harvard University began to promulgate its use for recreational and spiritual experiences among the general public.

Sandoz opened its first foreign offices in 1964.

In 1967, Sandoz merged with Wander AG (known for Ovomaltine and Isostar). Sandoz acquired the companies Delmark, Wasabröd (a Swedish manufacturer of crisp bread), and Gerber Products Company (a baby food company).

On 1 November 1986, a fire broke out in a production plant storage room, which led to Sandoz chemical spill and a large amount of pesticide being released into the upper Rhine river. This exposure killed many fish and other aquatic life.

In 1995, Sandoz spun off its specialty chemicals business to form Clariant. Subsequently, in 1997, Clariant merged with the specialty chemicals business that was spun off from Hoechst AG in Germany.

In 2005, Sandoz expanded significantly through the acquisition of **Hexal**, one of Germany's leading generic drug companies, and **Eon Labs**, a fast-growing United States generic pharmaceutical company.

"Sandoz" continues to be used as a Novartis generic drug brand (*see below for details*).

After the merger

After the merger, Novartis reorganized its operating

units and spun out its chemical activities as Ciba Specialty Chemicals (now a part of BASF).

In 1998, the company made headlines with its biotechnology licensing agreement with the University of California at Berkeley Department of Plant and Microbial Biology. Critics of the agreement expressed concern over prospects that the agreement would diminish academic objectivity, or lead to the commercialization of genetically modified plants. The agreement expired in 2003.



Suffern, New York: the sole **Novartis** pharmaceutical production facility in the United States

Novartis combined its agricultural division with that of AstraZeneca to create, Syngenta, in November 2000.

In 2003, Novartis created a subsidiary that bundles its generic drug production, reusing the predecessor brand name of Sandoz.^[17]

In 2005, Novartis introduced **Certican** (Everolimus), an immunosuppressant, and in October 2006 began marketing Telbivudine, a new antiviral drug for hepatitis B.

On 20 April 2006, Novartis acquired the California-based Chiron Corporation. Chiron formerly was divided into three units: Chiron Vaccines, Chiron Blood Testing, and Chiron BioPharmaceuticals, to be integrated into Novartis Pharmaceuticals. Chiron Vaccines and Chiron Blood Testing now are combined to form Novartis Vaccines and Diagnostics.

The ongoing Basel Campus Project has the aim to transform the St. Johann site - Novartis headquarters in Basel - "from an industrial complex to a place of innovation, knowledge, and encounter".^[18]

On 12 October 2009, Novartis has entered into an agreement for exclusive US and Canadian rights to Fanapt(iloperidone), a new oral medication that is approved by the U.S. Food and Drug Administration (FDA) for the acute treatment of adults with schizophrenia.^[19]

On 6 November 2009, Novartis reached an agreement to acquire an 85% stake in the Chinese vaccines company Zhejiang Tianyuan Bio-Pharmaceutical Co., Ltd. as part of a strategic initiative to build a vaccines industry leader in this country and expand the Group's limited presence in this fast-growing market segment. This proposed acquisition will require government and regulatory approvals in China.^[20]

On 4 January 2010, Novartis offered to pay US \$39.3 billion to fully acquire Alcon, the world's largest eye-care company, including a majority stake held by Nestlé. Novartis had

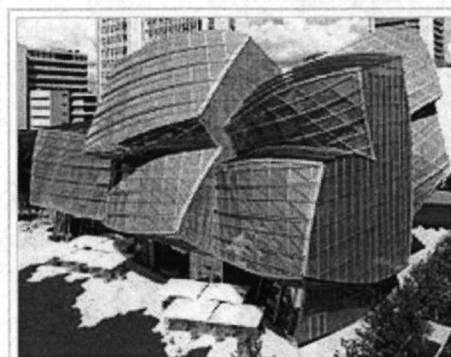
bought 25% of Alcon in 2008.^[21]

On 11 March 2010, Novartis settled their patent suit in the US District Court for the District of New Jersey with IntelliPharmaCeutics International, Ltd., a Canada-based specialty pharmaceutical company, and its licensee Par Pharmaceutical Inc. over a generic version of the attention deficit hyperactivity disorder drug Focalin XR (dexamethylphenidate hydrochloride).^[22]

Basel headquarters campus redesign

An ongoing Basel Campus Project has the aim to transform the Saint Johann site—Novartis headquarters in Basel—"from an industrial complex to a place of innovation, knowledge, and encounter".^[18] The pharmaceutical giant decided to transform the existing Ciba-Geigy office buildings and chemical factories of its headquarters in 2001.

The buildings gradually were demolished and replaced with works by architects and artists of international stature. Frank Gehry, Rafael Moneo, and from SANAA, Kazuyo Sejima and Ryue Nishizawa were among the architects and Jenny Holzer and Richard Serra among the artists. Marked diversity of forms now dominates the campus. Novel features and technologies were introduced by Gehry to conform to the building standards of the Swiss government that prohibit air-conditioning, while still selecting a contemporary style of massive use of glass exteriors. One adaptation by the architect includes the integration of a building vent, teepee-style, through the roof, which creates a chimney effect that draws cool air in at the lower levels and vents warmer air.



Human resources building of the new Basel campus of Novartis - designed by Frank Gehry

Products

Pharmaceuticals

- Comtan- \$420 M (2007)- Parkinson's disease
- Diovan- \$5.0 B sales^[23] (2007)- Hypertension
- Exjade- \$357 M (2007) - Iron chelator
- Femara- \$937 M (2007)- Breast cancer
- Gleevec- \$3.1 B- for Chronic myeloid leukemia
- Lescol- \$665 M (2007)- hypercholesterolemia
- Lotrel- \$748 M (2007)- Hypertension
- Lucentis- \$393 M (2007)- Age-related macular degeneration

- Ritalin- \$375 M (2007) - AD/HD
- Exelon- \$632 M (2007)- Alzheimer's disease
- Sandimmune and Neoral- \$944 M (2007)- Organ transplantation
- Sandostatin - \$1.0 B (2007) - Acromegaly
- Tegretol- \$413 M (2007)- Epilepsy
- Termalgin - (Paracetamol and compounds.) - Treatment of fever and light pain.
- Tobramycin- \$273 M (2007)- Cystic fibrosis
- Trileptal- \$692 M (2007)- Epilepsy
- Voltaren- \$747 M (2007)- anti-inflammatory
- Zometa- \$1.3 B (2007)- Cancer complications
- Tofranil- - antidepressant

Consumer health (OTC)

- Benefiber
- Buckley's cold and cough formula
- Bufferin
- Comtrex cold and cough
- Denavir/Vectavir
- Desenex
- Doan's pain relief
- Ex-Lax
- Excedrin
- Fenistil
- Gas-X
- Habitrol
- Keri skin care
- Lamisil foot care
- Lipactin Herpes symptomatic treatment
- Maalox
- Nicotinell
- No-doz
- Otrivine
- Prevacid 24HR
- Tavist
- Theraflu
- Triaminic
- Vagistat
- Voltaren

In January 2009, the United States Department of Health and Human Services awarded Novartis a \$486 million contract for construction of the first U.S. plant to produce cell-based influenza vaccine, to be located in Holly Springs, North Carolina. The stated goal of this program is the capability of producing 150,000,000 doses of pandemic vaccine within

six months of declaring a flu pandemic.^[24]

Animal health

Pet Care

- Interceptor (Milbemycin oxime), oral worm control product
- Sentinel Flavor Tabs (Milbemycin oxime, Lufenuron), oral flea control product
- Deramaxx (Deracoxib), oral treatment for pain and inflammation from osteoarthritis in dogs
- Capstar (Nitenpyram), oral tablet for flea control
- Milbemax (Milbemycin oxime, Praziquantel), oral worm treatment
- Program (Lufenuron), oral tablet for flea control

Livestock

- Acatack Duostar (Fluazuron, Ivermectin), tick control for cattle
- CLiK (Dicyclanil), blowfly control for sheep
- Denagard (Tiamulin)
- Fasinex (Triclabendazole)
- ViraShield

Bioprotection (insect and rodent control)

- Actara (Thiamethoxam)
- Atrazine (Atrazine)
- Larvadex (Cyromazine)
- Neporex (Cyromazine)
- Oxyfly (Lambda-cyhalothrin)
- Virusnip (Potassium monopersulfate)

Research and development

The major bases for R&D are Basel, Shanghai, and Boston. Operations in China are set for rapid expansion within the next five years.^[25]

Major therapeutic areas are autoimmunity/transplantation/inflammatory disease, cardiovascular disease, diabetes, gastrointestinal disease, infectious diseases, musculoskeletal disease, neuroscience, oncology, ophthalmology, and respiratory disease.

Controversies and criticism

Challenge to India's patent laws

In 2006, Novartis launched a court case against India seeking to prohibit the country from developing generic drugs based on patented medicines.^[26] Novartis had challenged a law that allows India to refuse to recognize a patent for an existing medicine if there is a modified formula resulting in a re-patent of the drug.^[27] On August 5, 2007, an Indian court in Chennai ruled against Novartis saying that, "Novartis' legal challenge - mounted to limit competition to its own patented medicines - was a threat to people suffering from cancer, HIV and AIDS, diabetes and other diseases who are too poor to pay for them."^[28] The high court also claimed to have no jurisdiction on whether Indian Patent law complied with WTO patent guidelines.

In the months leading up to the hearing, more than half a million people wrote to the CEO of Novartis expressing their opposition to the suit. Novartis has decided not to appeal the ruling.^[29]

Advertising practices

In September 2008, the U.S. Food and Drug Administration (FDA) sent a notice to Novartis Pharmaceuticals regarding its advertising of Focalin XR, an ADHD drug, in which the company overstated its efficacy while marketing to the public and medical professionals.^[30]

'No' to free flu vaccines

In June 2009, Novartis declined to provide free vaccines to the poor in order to counter a current flu epidemic, saying developing nations or donor nations should cover the costs. Daniel Vasella, Novartis chief executive, told the *Financial Times* that he would consider offering discounted pricing to low-income nations, but unlike GlaxoSmithKline, would not offer vaccines for free.^[31]

Sexual discrimination

On May 17, 2010, a jury in the United States District Court for the Southern District of New York awarded \$3,367,250 in compensatory damages against Novartis, finding that the company had committed sexual discrimination against twelve female sales representatives and entry-level managers since 2002, in matters of pay, promotion, and treatment after learning that the employees were pregnant. Two days later (the trial was bifurcated so that the punitive damages verdict was argued and deliberated separately), the jury awarded punitive damages in the amount of \$250 million, representing about 2% of Novartis' gross revenues for 2009. Normally punitive damages would be reduced to less than a 10-1 ratio, but the trial was for a group of named plaintiffs in a class action, who were representing a class of 5,600 class members. The jury was instructed to award

compensatory damages just to the named plaintiffs, but to award punitive damages to the *entire* class. Once the court makes findings on compensatory damages for the remaining class members (which are estimated by plaintiffs' counsel at just under \$1 billion), the \$250 million is expected to satisfy the Supreme Court's single-digit ratio test for proportionality of compensatory to punitive damages.^[32]

Settlement of Fraud Charges

In September, 2010, Novartis agreed to pay USD 422.5 million in criminal and civil claims and enter Corporate Integrity Agreement with the US Office of the Inspector General.^[33] According to the New York Times "Federal prosecutors accused Novartis of paying illegal kickbacks to health care professionals through speaker programs, advisory boards, entertainment, travel and meals. But aside from pleading guilty to one misdemeanor charge of mislabeling in an agreement that Novartis announced in February, the company denied wrongdoing."^[34] In the same New York Times article, Frank Lichtenberg, a Columbia professor who receives pharmaceutical financing for research on innovation in the industry, said off-label prescribing was encouraged by the American Medical Association and paid for by insurers, but off-label marketing was clearly illegal. "So it's not surprising that they would settle because they don't have a legal leg to stand on," he said.

See also

- Top 100 US Federal Contractors

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External links

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